

## DECLARATION AND POWER OF ATTORNEY

## (FOR PATENT APPLICATION)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**Kinase Inhibitors and Methods of Use in Screening Assays  
and Modulation of Cell Proliferation and Growth**

The specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I do now know and do not believe that the invention was ever patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application.

I do not know and do not believe that the invention was in public use or on sale in the United States of America more than one year prior to this application.

I acknowledge the duty to disclose information, which is material to the patentability of this application in accordance with Title 37 CFR § 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which prior is claimed:

Prior Foreign Application(s):

Priority  
Claimed  
[ ] [ ]

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year filed)

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number

Filing Date

1. 60/151,992

September 1, 1999

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Application Number

Filing Date

Status - patented, pending, abandoned

1.

### POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

APPOINTED PRACTITIONER(S)	REGISTRATION NUMBER(S)
Kathleen M. Williams	34,380
Richard B. Smith	34,020
Elizabeth Neuman Spar	45,123
Paula Campbell Evans	32,503
Mark J. FitzGerald	45,928
John M. Garvey	37,833

Address all correspondence to:

Kathleen M. Williams, Ph.D., Esquire  
**Palmer & Dodge, LLP**  
One Beacon Street  
Boston, MA 02108

Direct all telephone calls to **Kathleen M. Williams, Ph.D., Esquire** at (617) 573-0451)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

First Named Inventor:

Date: \_\_\_\_\_

\_\_\_\_\_  
Inventor's Signature

John M. Sedivy, Ph.D.

Residence: United States

Citizenship: Canadian

Post Office Address: 12 Doane Road, Barrington, R.I. 02806, US

Named Inventor:

Date: \_\_\_\_\_

\_\_\_\_\_  
Inventor's Signature

Walter Kolch, M.D.

Residence: United Kingdom

Citizenship: Austrian

Post Office Address: 30 North View Bearsden, Glasgow G61 1NX, UK

Named Inventor:

Date: \_\_\_\_\_

\_\_\_\_\_  
Inventor's Signature

Kam Chi Yeung, Ph.D.

Residence: United States

Citizenship: Hong Kong

Post Office Address: 24 Stanley Avenue, Barrington, R.I. 02806, US

001000-13245960

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant or Patentee: John M. Sedivy, Ph.D., et al.  
Serial No.: Not Yet Assigned  
Filed: Concurrent Herewith  
Entitled: Kinase Inhibitors and Methods of Use in Screening Assays  
and Modulation of Cell Proliferation and Growth  
Attorney Docket No.: 3564/1010

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(d) AND 1.27(d)) -SMALL BUSINESS CONCERN

I hereby declare that I am an official empowered to act on behalf of the small business concern identified below:

Name of Organization: Brown University Research Foundation  
Address of Organization: 42 Charlesfield Street  
P.O. Box 1949  
Providence, Rhode Island 02912

I hereby declare that the small business concern identified above qualifies as a small business concern as defined in 37 C.F.R. § 1.9(d) for purposes of paying reduced fees under § 41(a) and (b) of Title 35, United States Code, with regard to the invention entitled

Kinase Inhibitors and Methods of Use in Screening Assays  
and Modulation of Cell Proliferation and Growth

by inventor(s) John M. Sedivy, Ph.D., et al.

described in

- ☒ the specification filed herewith  
☐ Application Serial No. \_\_\_\_\_, filed  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern with regard to the above-identified invention.

If the rights held by the above identified small business concern are not exclusive, each individual concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR § 1.9(d), or a nonprofit organization under 37 CFR § 1.9(e).

\_\_\_\_\_  
NAME OF PERSON SIGNING

\_\_\_\_\_  
TITLE IN ORGANIZATION

BROWN UNIVERSITY RESEARCH FOUNDATION

42 Charlesfield Street, P.O. Box 1949, Providence, R.I. 02912

COMPANY

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

007060-1824560